

REMARKS

Claims 1-28 were previously pending in this application. By this amendment, Applicant is canceling claim 4 without prejudice or disclaimer. Claims 1, 19, 27 and 28 have been amended. New claim 29 has been added. As a result, claims 1-3 and 5-29 are pending for examination with claims 1, 19, 20 and 27 being independent claims. No new matter has been added.

Drawings

Formal drawings for this application are enclosed. The formal drawings correct the issues raised in the Office Action and the objection to the drawings is respectfully requested to be withdrawn.

Claim Rejections Under 35 U.S.C. §102(e)

Claims 1-4, 5-7, 10, and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,332,760 ("Chung"). Specifically, Chung is asserted to disclose an inflatable device comprising a fluid impermeable bladder 26 and a fluid controller comprising an electrically powered pump 20 at least partially positioned within the bladder. In further asserted that a majority of the fluid controller is positioned within the bladder 26. Applicant respectfully traverses this rejection.

Claim 1, as amended, is directed to an inflatable device including, in part, a recess sized to accommodate at least a portion of the fluid controller and the fluid controller at least partially positioned therein. Chung is directed to an inflatable product including an inflatable body, a socket, an electric pump, and a battery case, wherein a socket is built into the inflatable body. (Chung at the abstract.) The "socket" in Chung is simply a hole in the bladder, not a recess. Accordingly, the electric pump in Chung, when engaged to the inflatable body, is positioned directly within the inflatable body, not within a recess in the inflatable body as claimed in amended claim 1. As Chung does not disclose a recessed sized to accommodate at least a portion of the fluid controller, Chung does not disclose each and every element of the invention as claimed, and cannot anticipate claim 1. Furthermore, without acceding to the

correctness of the application of Chung to claims 2-7, 10, and 11, these claims depend from claim 1 and distinguish over Chung for at least the same reasons. Withdrawal of these rejections is respectfully requested.

Claim 19 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,068,933 ("Sexton"). Specifically, it is asserted that Sexton discloses an air comfort pillow which is an inflatable device comprising a fluid controller 21 having an electrically powered pump 23 and an inflatable device 11. It is further asserted that the fluid controller is connected to the inflatable device such that the exterior profile of both is essentially the same as the exterior profile of the inflatable device 11. Applicant respectfully traverses this rejection.

Claim 19, as amended, is directed, in part, to a fluid controller connected to an inflatable bladder such that the exterior profile of the controller and inflatable bladder in combination are essentially the same as the exterior profile of the inflatable bladder. Sexton discloses a sleeping pillow having an inflatable air bag and a built in air compressor and air exhaust control mechanism. The air compressor is located within a pocket at one end of the pillow. (Sexton at the abstract.) Accordingly, while the air compressor is located within the pillow, it is not located within the bladder. Because the compressor is positioned outside of the bladder, the exterior profile of the fluid controller and bladder is not essentially the same as the exterior profile of the bladder alone and Sexton does not meet each and every limitation of claim 1. Withdrawal of this rejection is respectfully requested.

Claims 20, 22, 23, 25, and 26 are rejected under 35 U.S.C. §102(e) as being anticipated by Chung. Regarding claim 20, it is asserted that Chung discloses an inflatable system with a first locking mechanism at the perimeter of a socket 24, an adjustment device near 204 on the top portion of a pump 20, and a second locking mechanism located along the lower perimeter of pump 20 that mates with the locking mechanism of socket 24. Applicant respectfully traverses this rejection.

Claim 20 is directed in part, to a pump in fluid communication with a bladder and comprising a first locking mechanism, and an adjustment device including a second locking mechanism sized and adapted to reversibly mate with the first locking mechanism. Chung is

described previously herein; it is further noted that the pump in Chung may be rotated with respect to the bladder to provide "on," "off," and "open" positions. (Chung at col. 2, lines 43-65) Accordingly, in Chung the pump and adjustment device are integrated, and lock to a bladder, as opposed to a pump comprising a first locking mechanism and an adjustment device including a second locking mechanism adapted to reversibly mate with the first locking mechanism, as claimed in claim 20. Because Chung does not disclose each and every element of the present invention as claimed in claim 20, this rejection is improper and is respectfully request that it be withdrawn. Without exceeding to a correctness of specific rejections directed to claims 22, 23, 25, and 26, these claims depend directly or indirectly from claim 20 and distinguish over Chung for at least the same reasons. Accordingly, withdrawal of these rejections is also respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 3, 8, 9, and 12-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chung in view of several references. Without acceding to the specific rejections directed at each claim, Applicant notes that none of the cited references disclosed, teach, or suggest, or are asserted to disclose, teach, or suggest, a bladder comprising a recess sized to accommodate at least a portion of a fluid controller, as claimed in claim 1. As claims 3, 8, 9, and 12-18 depend directly or indirectly from claim 1, they distinguish over the cited references for at least the same reasons. Withdrawal of these rejections is respectfully requested.

Claims 21 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chung in view of Sexton or Graf. Without acceding to the correctness of these rejections, the underlying rejection of claim 20, from which claims 21 and 24 depend, over Chung is improper as previously described. Since neither Sexton nor Graf remedy the infirmities of Chung, these rejections also cannot stand and withdrawal of these rejections is respectfully requested.

Claims 27 and 28 are rejected under 35 U.S.C. §103(a) as being patentable over Sexton in view of Patent No. 5,893,609 ("Schmidt"). Specifically, it is asserted that Sexton discloses the invention as claimed, aside from the use of a solenoid, and that it would have been obvious to

one of ordinary skill in the art at the time of the invention to employ a solenoid as disclosed in Schmidt therein. This rejection is respectfully traversed.

Claim 27, as amended, and claim 28, which depends therefrom, are directed to an inflatable device comprising, in part, a fluid controller including a self-sealing valve, and an adjustment device including a switch electrically connected to a power source and electro-mechanically connected to the self-sealing valve of the fluid controller. Sexton, which has been described previously herein, includes a first valve 49 positioned on bladder 11, and a second valve, shown in Figure 4, positioned within an adjustment device 53. Button 59 is mechanically coupled to this second valve, which is not part of the fluid controller. Accordingly, if the solenoid disclosed in Schmidt were used in Sexton, as asserted, it would control only the valve in the adjustment device, and not the valve associated with the fluid controller, as claimed. Applicant further notes that one of ordinary skill in the art would not have been motivated to make such a combination at the time of the invention in any event, because the positioning of the valve in the adjustment device in Sexton facilitates ready physical manipulation at the valve as disclosed therein, eliminating the need for a solenoid. As Sexton and Schmidt cannot be combined as asserted, and would not result in the claimed invention even if combined as asserted, this rejection is improper and it is respectfully requested that it be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time.

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If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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MARKED-UP CLAIMS

Claim 4 has been canceled without prejudice or disclaimer.

Claims 1, 19, 27 and 28 have been amended as follows:

1. An inflatable device, comprising:
a substantially fluid impermeable bladder comprising a recess sized to accommodate at least a portion of the fluid controller; and
a fluid controller comprising an electrically powered pump and at least partly positioned within the [bladder] recess.

19. A combination of a fluid controller comprising an electrically powered pump and an inflatable [device] bladder; comprising:
the fluid controller connected to the inflatable [device] bladder such that the exterior profile of the fluid controller and inflatable [device] bladder in combination is essentially the same as the exterior profile of the inflatable [device] bladder.

27. An inflatable device, comprising:
a substantially fluid impermeable bladder; [and]
a fluid controller comprising:
an electrically powered pump, and
a self-sealing valve₁[,] and
an adjustment device, comprising:
a first switch electrically connected to the pump and a power source such that the first switch may selectively energize the pump, and
a second switch electrically connected to a power source and electro-mechanically connected to the self-sealing [a] valve of the fluid controller such that it may selectively open the valve.

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28. The inflatable device of claim 2[1]7, wherein the electro-mechanical connection comprises a solenoid.